

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

A.O.A., et al.)	
)	
Plaintiffs,)	
)	Case No.: 4:11 CV 44 CDP
v.)	
)	
IRA L. RENNERT, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

On August 4, 2023, defendants Doe Run Resources Corporation and The Renco Group filed a “Motion to Seal,” which, incongruously, asks that I *unseal* a motion for sanctions, memorandum in support, and accompanying exhibits that they submitted under seal that same date. Defendants aver that they submitted the sanctions motion, memorandum, and exhibits under seal out of an abundance of caution given my recent ruling that information involving ongoing criminal investigations and unindicted conduct is appropriately sealed. (*See* ECF 1353.) Plaintiffs have not responded to the “Motion to Seal,” and the time to do so has passed. E.D. Mo. L.R. 13.05(A)(4)(d).

Although defendants contend that public interest demands the unsealing of the submitted documents in their entirety given the nature and stage of the underlying criminal investigation in Peru, I continue to conclude as I did in my

earlier Order that compelling reasons exist for such information to remain sealed. (ECF 1353, Memo. & Ord. at pp. 1-2, citing cases.) This is especially so here in view of Article 324 of Peru's Code of Criminal Procedure, which provides that preliminary/preparatory criminal investigations are confidential. *See CAA Sports LLC. v. Dogra*, No. 4:18-CV-01887-SNLJ, 2018 WL 6696622, at *1 (E.D. Mo. Dec. 20, 2018) (honoring the rules of sovereign nations is an exception to the general rule of public access) (citing *GEA Group AG v. Flex-N-Gate Corp.*, 740 F.3d 411, 420 (7th Cir. 2014)).

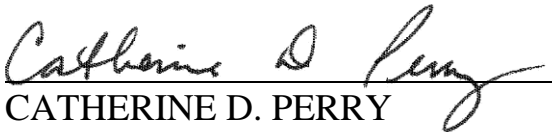
I will therefore exercise my discretion and order that defendants' Memorandum of Law in Support of Motion for Sanctions and Remedial Measures (ECF 1362-2) and accompanying exhibits (ECF 1362-3 – ECF 1362-34) **remain sealed in their entirety**. I will unseal defendants' Motion for Sanctions and Remedial Measures (ECF 1362-1) as it does not contain any confidential information.

Accordingly,

IT IS HEREBY ORDERED that defendants Doe Run Resources Corporation and The Renco Group's "Motion to Seal" [1361] is **GRANTED in part and DENIED in part**.

IT IS FURTHER ORDERED that the Clerk of Court shall unseal defendants' Motion for Sanctions and Remedial Measures (ECF 1362-1) **only**.

IT IS FURTHER ORDERED that defendants' Memorandum of Law in Support of Motion for Sanctions and Remedial Measures (ECF 1362-2) and accompanying exhibits (ECF 1362-3 – ECF 1362-34) **shall remain sealed in their entirety.**



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 16th day of August, 2023.